

REMARKS

Prior to entry of this paper, Claims 1-33 were pending. Claims 1-33 were rejected. In this paper, Claims 31-33 are canceled; no claims are added, and no claims are amended. Claims 1-30 are currently pending. No new matter is added by way of this amendment. For at least the following reasons, Applicants respectfully submit that each of the presently pending claims is in condition for allowance.

Double Patenting

Claims 1-33 are rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-33 of U.S. Patent 7,102,996. In response, a Terminal Disclaimer and Statement under 37 CFR 3.73(b) accompanies this paper. Both U.S. Patent No. 7,102,996 and the current application are commonly owned. Therefore this rejection is now moot.

Moreover, claims 1-30 are rejected based only on the non-statutory obviousness-type double patenting rejection. Thus, the Applicant submits that claims 1-30 are now in condition for allowance and requests that they are allowed to issue.

Claim Rejections – 35 USC § 102

Claims 31-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Ditta et al., U.S. Patent Application Publication No. 2005/0008017 (hereinafter Ditta). Claim 33 is rejected under 35 U.S.C. 102(e) as being anticipated by Graham-Cummings, Jr., U.S. Patent No. 6,182,146 (hereinafter Graham-Cunning).


Although the Applicants disagree that the cited prior art anticipates or renders obvious claims 31-33, to expedite issuance of the pending claims 1-30, the Applicants have elected to cancel claims 31-33. Therefore, the remaining claims 1-30 should be allowed to issue.

CONCLUSION

It is respectfully submitted that each of the presently pending claims (Claims 1-30) is in condition for allowance and notification to that effect is requested. Examiner is invited to contact the Applicants' representative at the below-listed telephone number if it is believed that the prosecution of this application may be assisted thereby. Although only certain arguments regarding patentability are set forth herein, there may be other arguments and reasons why the claimed invention is patentable. Applicants reserve the right to raise these arguments in the future.

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Respectfully submitted,

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